

MOORPARK UNIFIED SCHOOL DISTRICT
MINUTES OF THE REGULAR MEETING OF THE BOARD OF EDUCATION
Tuesday, September 12, 2023
4:30 PM Closed Session
5:30 PM Regular Meeting
District Office Board Room
5297 Maureen Lane
Moorpark, California 93021
Adopted 9/19/23

1. CALL TO ORDER & ROLL CALL

Board President Sweet called the closed session to order at 4:37 PM and the regular meeting to order at 5:30 PM

PRESENT: Board President Nathan Sweet and Board Members Scott Dettorre and Ute Van Dam

OTHERS PRESENT: Dr. Kelli Hays, District Superintendent; Lynn David, Assistant Superintendent for Business Services; Dr. Jane Wagmeister, Assistant Superintendent for Instructional Services; and Areli Hernandez, Executive Assistant to the Superintendent

ABSENT: Board Members Amy Adams and Robert Perez

2. PUBLIC COMMENT ON CLOSED SESSION ITEMS

Board President Sweet called for comments from the public regarding the closed session items. There were no comments.

3. CLOSED SESSION

- a) *Conference with Labor Negotiator – Government Code Section 54957.6*
District Negotiator: Dr. Kelli Hays
Employee Organizations: Moorpark Educators Association (MEA); and California School Employees Association (CSEA) Chapter No. 498
- b) *Public Employee Evaluation/Goal Setting: District Superintendent*
Government Code section 54957
- c) *Public Employee Discipline/Dismissal/Release – Government Code Section 54957*
- c) *Conference with Real Property Negotiations – Government Code Section 54956.8*
Property: 5700 Condor Drive, Moorpark, CA 93021
Agency Negotiator: Dr. Kelli Hays, District Negotiator
Negotiating Parties: Dr. Kelli Hays, District Negotiator & Daniel Margolis
Under Negotiation: Price and Terms

4. RECONVENE TO OPEN SESSION: PUBLIC ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION AND RECOGNITION OF A QUORUM

Board President Sweet reconvened the meeting to open session at 5:30 PM, recognized the presence of a Board quorum and indicated that no reportable action was taken in closed session. Board President Sweet called for a moment of silence in remembrance of September 11, 2001.

5. PLEDGE OF ALLEGIANCE

Board President Sweet led the Pledge of Allegiance.

6. REORDERING AND APPROVAL OF THE AGENDA – MOTION NO. 13

On a motion by Ute Van Dam and second by Scott Dettorre, the Board approved the agenda, with item 18 tabled until the September 19, 2023 regular meeting.

7. APPROVAL OF MINUTES – MOTION NO. 14

On a motion by Scott Dettorre and second by Ute Van Dam, the Board approved the minutes of the August 8, 2023 regular meeting.

8. PUBLIC COMMENT

Board President Sweet called for comments from the public regarding items of interest that are pertinent to the Moorpark Unified School District. There were no comments.

9. REPORT FROM SUPERINTENDENT

a) Above & Beyond Recognition, Kim Dingbaum, Mountain Meadows School

Superintendent Hays and the Board recognized Kim Dingbaum for her work and dedication to the students, families and staff at Mountain Meadows School.

b) MUSD Update

Superintendent Hays reported on the following: 1) Back to School Nights and thanked the entire MUSD staff for helping to make the schools look beautiful for the parents and for the teachers who greeted them with smiles and shared the content and procedures of their classrooms; 2) student enrollment is up – we have 41 students over what we projected and budgeted; and 3) the new lighting and sound system at MHS PAC, Dr. Hays thanked: Denise Berrington and the M&O team; the technology team; and the MHS maintenance staff for all of their work on the new industry standard lighting and sound system for our students.

10. REPORT FROM DISTRICT BOARD MEMBERS

(Resolutions/Commendations, Correspondence, Committee Reports)

Scott Dettorre reported on the following: Breakfast meeting with MEA President; MVMS and CMS Back to School Nights; recent MHS football games; and the MHS Back to School Night.

Ute Van Dam reported on the following: THS@MC and MHS Back to School Nights; Constitution Day at the Reagan Library; and the MHS girls flag football game.

Nathan Sweet reported on the following: Lunch with MEA President; Peach Hill, Walnut Canyon and Campus Canyon Back to School Nights, and thanked the staff for the facilities looking great.

11. BOARD ITEMS FOR ACTION/DISCUSSION

No items.

12. CONSENT-ACTION – MOTION NO. 15

On a motion by Ute Van Dam and second by Scott Dettorre, the Board approved the following consent action items by a roll call vote:

- a) Classified Employment Report No. 09-12-23-02
- b) Certificated Employment Report No. 09-12-23-02
- c) New Teacher Assignment Authorizations for the 2023-2024 school year
- d) Payment of stipends
- e) Internship Placement Site Agreements with CSU, Channel Islands for 2023-2024
- f) MOU with MEA to continue stipends for new teacher induction coaches, speech & language supervisors & intern support providers
- g) Notice of Completion – Athletic Track Surfacing Project
- h) Notice of Completion – Athletic Field Turf Replacement Project
- i) Agreements for Services – 2023-2024
 - 1. Simi Valley Unified School District - 2023-24 total cost \$47,396.00
 - 2. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$3,032.75
 - 3. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$606.80
 - 4. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$165,672.00
 - 5. ABA Network, Inc - 2023-24 total cost \$94,564.73
 - 6. Addison Behavioral Resources - 2023-24 total cost \$23,399.57
 - 7. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$26,743.00
 - 8. VCOE - total cost \$27,196.92
 - 9. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$817.88
 - 10. The HELP Group - Sunrise School - total cost \$37,573.22
 - 11. VCOE - 2023-2024 Career Ed. Center Annual Contract
 - 12. Agreement for SLP SIRAS - 2023-2024 total cost \$1,920.00
 - 13. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$70,859.49
 - 14. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$63,685.76
 - 15. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$77,215.25
 - 16. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$86,501.85
 - 17. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$79,016.50
 - 18. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$70,031.45
 - 19. Star of CA LLC (dba Star of CA, ERA Ed) - 2023-24 total cost \$61,057.00
 - 20. Star of CA LLC (dba Star of CA, ERA Ed) - 2022-23 total cost \$10,861.11
- j) Warrants issued through August 31, 2023
- k) Declaration of obsolete equipment

- l) Acceptance of donations:
 - 1) The Blackbaud Giving Fund –
 - \$40.00 - Flory - Falcon Fund
 - 2) American Tire Distributors -
 - Backpacks, lunch boxes, and misc. school supplies
 - 3) James Swing -
 - \$175.00 - Guitar and Case - Campus Canyon
- m) Ratification of purchase orders in the total amount of \$1,582,788.42
 B Series: B24-00146 - B24-00158; CO Series: CO24-00003 - CO24-00062; F Series: F24-00005 - F24-00007; FB24-00003 - FB24-00008; P Series: P24-00050 - P24-00171; TB Series: TB24-00004; TP: Series: TP24-00016 - TP24-00043.

BUILDING PROGRAM

PERSONNEL

INSTRUCTION

13. PUBLIC HEARING AND APPROVAL OF RESOLUTION – SUFFICIENCY OF INSTRUCTIONAL MATERIALS – MOTION NO. 16

A Public Hearing was held to allow public input regarding the sufficiency of instructional materials in the school district in compliance with Education Code section 60119 and to make a determination through a resolution as to whether each pupil in each school in the district has, or will have within two months of the start of the 2023-2024 school year, sufficient textbooks or instructional materials, or both, in each subject that are consistent with the content and cycles of the curriculum framework adopted by the State Board in Mathematics, Science, and History/Social Science, English/Language Arts, Foreign Language and Health. Board President Sweet called for comments from the public regarding this item; there were no comments.

Hearing Open: 5:45 PM Hearing Closed: 5:46 PM

Subsequent to the public hearing, and on a motion by Scott Dettorre and second by Ute Van Dam, the Board adopted Resolution No. 2023-2024-03, Textbook and Instructional Materials Compliance. The Board further certified that as of this date, each pupil in the District, in kindergarten through grade twelve, has been provided with a standards-aligned textbook or basic instructional materials in each of the following areas:

- History/social science
- Mathematics
- English/language arts, including the English language development component of an adopted program
- Science

For students in TK-8, the instructional materials were purchased from an approved standards-aligned state adoption list as required by CCR, Title 5, Section 9531. For

students in grades 9-12, the instructional materials were adopted by the local governing board following District review of the materials and their alignment with state content standards as required by CCR, Title 5, Section 9531.

Lastly, the Board certified that each pupil enrolled in a foreign language or health course has been provided with a textbook or instructional materials that are consistent with the content and cycles of the curriculum frameworks adopted by the State board for those subjects, and that laboratory science equipment as applicable to science laboratory courses offered in grades 9-12 is available to pupils in those grades.

14. DISTRICT'S LEA AND SCHOOL SITE PARENT AND FAMILY ENGAGEMENT POLICY – MOTION NO. 17

On a motion by Ute Van Dam and second by Scott Dettorre, the Board approved the District's LEA and School Site Parent and Family Engagement Policy, which describes the means for carrying out designated Title I, Part A, parent and family engagement requirements pursuant to the Every Student Succeeds Act (ESSA) Section 116(a).

BUSINESS

15. APPROVAL OF UNAUDITED ACTUALS-2021-2022-MOTION NO. 18

On a motion by Scott Dettorre and second by Ute Van Dam, the Board approved the unaudited actuals for the 2022-2023 District budget.

Lynn David reviewed a PowerPoint presentation that included: the annual budget cycle; definition of the unaudited actuals; 22-23 general fund revenue and percentages of revenue; 22-23 general fund expenditures and percentages of expenses; 22-23 revenue to expenditures; summary of other 22-23 funds; next steps and the recommendation for approval to file the 22-23 unaudited actuals with the County Superintendent of Schools.

The Board members thanked Lynn David and her staff for their work in preparing the unaudited actuals.

16. ADOPTION OF RESOLUTION NO. 2023-2024-02, GANN LIMIT DECLARATION – MOTION NO. 19

In November 1979, California voters approved the late Paul Gann's Proposition 4, which places limits on government spending. This became known as The Gann Appropriation Limits or simply Gann Limits, and applies not only to the State of California, but also to cities, counties, and special districts, as well as to school districts and county offices of education.

The Gann Limit is a limit on the amount of tax money that state and local governments, including school districts, can legally spend. The Gann Limit does not require cuts in government spending, but rather limits the growth in government spending to be no faster than the growth in population and inflation.

A calculation is made to determine those revenues that are subject to the limit to ensure that a school agency is not over its limit. It is important to note that not all revenue sources count against your district's Gann Limit. Gann Limits only constrain the appropriations from state and local tax sources, and so federal aid is excluded, as well as non-tax income, such as revenues from cafeteria sales or adult education fees.

Education Code Section 42132 and G.C. Section 1629 specify that by September 30th each year, the governing board of each school district must adopt a resolution identifying their estimated appropriations limit for the current fiscal year and their actual appropriations limit for the preceding fiscal year.

The Gann Limit report is done in accordance with Government Code (G.C.) Section 7906(f): "Each school district shall report to the Superintendent of Public Instruction and to the Director of Finance, at least annually, its appropriation limit, its appropriations subject to limitation, the amount of its state aid apportionments and subventions included within the proceeds of taxes of the school district, and amounts excluded from its appropriations limit, at a time and in a manner prescribed by the Superintendent of Public Instruction and approved by the Director of Finance."

On a motion by Ute Van Dam and second by Scott Dettorre, the Board adopted resolution No. 2023-2024-02, Gann limit, declaring that the appropriations in the District's budget for the 2022-2023 and 2023-2024 fiscal years do not exceed the limitations imposed by Proposition 4.

17. MANDATED BLOCK GRANT APPLICATION -FISCAL YEAR 2023-2024

The Moorpark Unified School District submitted an application for funding for the Mandated Block Grant (MBG) program for fiscal year 2023-24, pursuant to Government Code Section 17581.6. Funding apportioned for the 2023-24 MBG is specifically intended to fund the costs of the programs and activities identified in the GD Section 17581.6(f). A school district or county office of education that receives MBG funding shall not be eligible to submit claims to the State Controller for reimbursement pursuant to GC Section 17560 for any costs of any state mandates identified in GC Section 17581.6 (f) incurred in the same fiscal year that MBG funding is received. This item is for informational purposes only; no Board action is required.

18. RESOLUTION APPROVING THE SALE OF REAL PROPERTY AND MAKING RELATED FINDINGS – TABLED

The Moorpark Unified School District ("District") is the owner of real property formerly known as the Moorpark Community High School Site, located at 5700 Condor Drive, Moorpark, California, 93021 and identified by Assessor Parcel Numbers 513-0-060-135 ("Lot 12"), 513-0-060-145 ("Lot 13"), and 513-0-060-155 ("Lot 14") ("Property"). The District, along with the California Department of Housing and Community Development ("HCD"), has found that the Property meets the definition of "exempt surplus land" pursuant to Government Code section 54221(f)(1)(I).

On March 8th, 2023 the State Board of Education granted the District's waiver of certain surplus property procedures, allowing the District to consider informal offers for purchase of the Property, after the District offered the Property for sale to public entities and received no interested public entity or nonprofit offers. The District now desires to sell the Property in a manner that will provide the District and its surrounding community with the most benefit based on various factors, including, but not limited to, price. The District received only one offer and identified this offeror as a sound and reliable buyer. The District finds that this buyer is the best option for the District for the following reasons: (1) the price was fair when reviewed with market value; (2) the terms of sale were highly negotiated, including deposits, etc.; (3) the buyer is a trusted member of the community that will make a use of the site that is beneficial to the surrounding area; (4) the buyer will be utilizing and modernizing the existing buildings on the site; and (5) the buyer appears to have the ability/resources to close on the transaction. After consulting with legal counsel and diligently negotiating with the offeror, the parties have agreed on terms that will benefit both the District and the community.

The District has determined the sale is exempt from further CEQA review pursuant to California Code of Regulations, Title 14 of Cal. Code Regs. §§ 15061(b)(2), 15061(b)(3), and 15312. As such, the District desires to file a Notice of Exemption from CEQA.

The Board's approval of the Resolution and Purchase and Sale Agreement (1) approves the sale of the Property pursuant to the Purchase and Sale Agreement and authorizes staff to move forward in its execution, and (2) determines that the purchase is exempt from CEQA and authorizes staff to file a Notice of Exemption.

It is recommended that the Board adopt resolution no. 2023-2024-04, approving the sale of real property and making related findings, as outlined above, for the real property located at 5700 Condor Drive, Moorpark, California 93021.

This item was tabled until the September 19, 2023 regular meeting.

DISTRICT POLICIES

19. REVISIONS TO BOARD POLICY SERIES 5000 AND 6000 – MOTION NO. 20

District staff continues to review recommendations from CSBA regarding updates and minor changes to the Board Policies and Administrative Regulations. The referenced staff report summarizes the proposed changes and updates regarding the 5000 and 6000 series. On a motion by Scott Dettorre and second by Ute Van Dam, the Board approved the updates and changes referenced in the staff reports as they apply to the 5000 and 6000 series of the District's Board Policies.

PENDING AGENDA ITEMS

DATE AND TIME OF NEXT REGULAR MEETING

The next Regular Meeting of the Board of Education of the Moorpark Unified School District will be held on Tuesday, September 19, 2023 at 5:30 PM at the District Office Board Room, 5297 Maureen Lane, Moorpark, California.

ADJOURNMENT - MOTION NO. 21

On a motion by Ute Van Dam and second by Scott Dettorre, the Board adjourned the regular meeting at 6:00 PM.

NATHAN SWEET
BOARD PRESIDENT

AMY ADAMS
CLERK OF THE BOARD

DR. KELLI HAYS
SECRETARY TO THE BOARD

9/12/23